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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,870	11/12/2003	Michael D. Mills	3128.1014-001	6742

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EXAMINER

MARTIN, LAURA E

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/706,870

Applicant(s)

MILLS ET AL.

Examiner

Laura E. Martin

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*am*

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/12/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/14/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 28 is objected to because of the following informalities: claim 28 is dependant on itself; it is assumed for the rejection, that claim 28 is meant to be dependent on claim 27. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-28 rejected under 35 U.S.C. 102(e) as being anticipated by Siwinski et al. (US 6938976).

As per claim 1, Siwinski et al. teaches an identification system for identifying characteristics of a respective ink for a printing system comprising: a tag (transponder C3, L48) including a memory (C3, L52) with logic (control logic processing unit C4, L17-18) which stores data related to the characteristics of the ink (consumable); and a source (semiconductor circuitry C4, L9) which generates a data signal relating to a characteristic of the ink (C4, L13-14); and a reader which receives the data signal (radio frequency transceiver unit C4, L14+)

As per claim 2, Siwinski et al. teaches a reader comprising a reader/writer which receives the data signal from the tag and transmits incoming data signals to the tag (C4, L14+, capable of transmitting signal to transponder).

As per claim 3, Siwinski et al. teaches the logic instructing the source to generate the output data (second electromagnetic signal C4, L11+) taken from the memory as an outgoing RF signal (RF transceiver transmitting electromagnetic signals).

As per claims 4 and 5, Siwinski et al. teaches the data identifying the color and age of the ink (C4, L36+).

As per claims 6, 7, and 8, Siwinski et al. teaches a controller coupled to the reader (in Fig 2, machine control signals come from the printer transceiver) comprising a disabler circuit coupled to the controller, the disabler circuit disabling the printing system when the data signal received from the tag does not satisfy a pre-determined criteria (by ensuring the proper ink is being used is also ensuring that the improper ink is not being used C5, L3-7) wherein the disabling circuit (32) disables the printing system when the data signal indicates that the ink is the incorrect color or the ink has exceeded the expiration date.

As per claim 9, Siwinski et al. teaches the tag being attached to a container holding the ink (See fig 2, 54 a-d)

As per claim 10, Siwinski et al. teaches the data signal from the tag transmitted to the reader wirelessly (C4, L43).

As per claim 11 and 14, Siwinski et al. teaches a radio frequency identification tag (C3, L48) for identifying characteristics of an ink comprising a memory which stores

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data (C3, L52), an RF source which generates RF signals (semiconductor circuitry C4, L9), selective data being transmitted as the RF signals (C4, L13-14) identifying at least one characteristic of the ink, and a reader which receives the transmitted RF signals from the RF identification tag (radio frequency transceiver unit C4, L14+).

As per claims 12, 13, 15, and 16, Siwinski et al. teaches the selective data being the color of the ink and the age of the ink (C4, L36+).

As per claims 17 and 18, Siwinski et al. teaches the RF identification tag attached to a container holding the ink (see Fig 2, 54 a-d) wherein the reader is positioned on or within the printer system (see Fig 1) to receive the transmitted RF signals when the container is placed in the printer (C4, L14+).

As per claims 19-21, Siwinski et al. teaches a disabler circuit (32) coupled to the reader (transceiver), the reader instructing the disabler circuit to disable the printer when the selective data does not meet a predetermined criteria C5, L3-7) wherein the reader instructs the disabler circuit to disable the printer when the selective data is associated with an ink of an incorrect color or when the ink has exceeded its expiration date (C4, L36+) further comprising a control unit including the disabler circuit (32).

As per claim 22, Siwinski et al. teaches a RF identification tag (C3, L48) for identifying characteristics of an ink, comprising a memory which stores data (C3, L52), an RF source which generates RF signals (semiconductor circuitry C4, L9), a logic which inputs the data into memory (C4, L36+), and instructs the memory to output selective data (type of consumable recorded on memory C4, L39 and memory data can be output to control which can disable printer if incorrect ink is loaded C5, L3-6), the

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selective data being transmitted as RF signals (C4, L6+), the selective data identifying the color of the ink and the age of the ink (C4, L34+).

As per claims 23-26, Siwinski et al. teaches a method of identifying characteristics of an ink in a printing system comprising: transmitting selective data from a tag (C3, L48), and reading the selective data (C4, L14+) with a reader, the selective data identifying a characteristic of the ink (C3, L53-54) wherein the characteristic relates to at least one of the color of the ink and the age of the ink (C3, L34+) and the data from the tag is transmitted to the reader wirelessly (C4, L43), wherein the data from the tag is transmitted via a RF signal (C4, L6+).

As per claims 27 and 28, Siwinski et al. teaches disabling the printing system when the selective data does not satisfy a predetermined criteria (C5, L3-7) wherein the predetermined criteria relates to at least one of the color of the ink and the age of the ink (C4, L34-40).

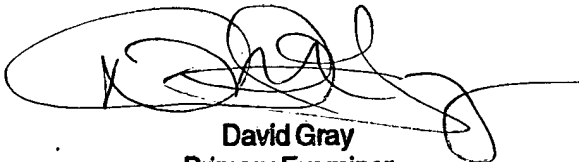
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Laura E. Martin



David Gray  
Primary Examiner